

### REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendment and following remarks is respectfully requested.

Claims 20, 23-35, and 39-42 are pending. In the present amendment, Claims 20, 23, 24, and 40 are amended; Claims 22 and 36 are canceled without prejudice or disclaimer; and new Claim 42 is added. Support for the present amendments can be found in the original specification, for example, in Claim 22 and Figs. 1 and 2. Thus, it is respectfully submitted that no new matter is added.

In the outstanding Office Action, Claims 20, 22, 23, 26-33, 35, 36, and 38 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sufke (U.S. Patent No. 4,793,112) in view of Prase (U.S. Patent No. 2,649,135); Claim 39 was rejected under 35 U.S.C. § 103(a) as unpatentable over Sufke in view of Prase and Florentin et al. (U.S. Patent No. 6,052,965, hereinafter “Florentin”); Claims 24, 25, 34, and 41 were objected to, but were indicated as including allowable subject matter; and Claim 40 was allowed. Applicant thanks the Examiner for the indication of allowable and allowed subject matter in Claims 24, 25, 34, 40, and 41.

Turning now to the rejections under 35 U.S.C. § 103(a), Applicant respectfully requests reconsideration of these rejections and traverses these rejections, as discussed below.

Amended Claim 20 includes the features of Claim 22 and recites, in part, “at least a first and a second substrate, which are joined together, at least indirectly, by surface bonding by a layer of thermoplastic or curable casting resin adhesive bonding to form a bonded joint.” As discussed in paragraphs [0010] and [0046] of the instant published application (US 2007/0190282), “surface bonding” means that the two substrates are bonded by the adhesive layer **substantially over the entire surface**. It is respectfully submitted that the cited references do not disclose or suggest every feature recited in amended Claim 20.

Specifically, the Office Action on page 3 acknowledges that Sufke “does not disclose the remainder of the claim with regards to the active position fastening.” Instead, the Office Action relies on Prase to cure the deficiencies of Sufke. However, as shown in Figs. 1 and 2 of Prase, the dowel 14 and key strip 21 (asserted in the Office Action as corresponding to the claimed active position fastening) are not flush with an outer surface of the press mould 1. Instead, panels 2 and 15 are disposed above the dowel and key strip 21.

The Office Action asserts that Sufke describes a laminated, plate-shaped glass facade panel including a first substrate (1) and a second substrate (2) which are joined together by surface bonding by a layer (3) of resin adhesive bonding to form a bonded joint; and at least one support element (8) positioned in the first substrate (1) to fasten the laminated panel to an infrastructure.

However, as acknowledged in the Office Action, Sufke does not disclose the presence of an active position fastening of the second substrate (2) relative to the first substrate (1), which is active, independently of the support element, only between the first and second substrates.

Prase describes a plate-shaped insulating panel including a lower panel (2) and an upper panel (15); lower edge and reinforcing strips (10, 17) which are joined to the lower panel (2) with a film of glue or synthetic resin, and upper edge and reinforcing strips (11, 18) which are joined to the upper panel (15) with a film of glue or synthetic resin; and a layer of filling materials, such as slag wool, inserted between the lower and upper panels. Further, key strips (21) and dowels (14) engage in corresponding recesses in lower (10, 17) and upper (11, 18) strips.

As explained in Prase, the key strips (21) are used as lateral limitations of the space (22) for receiving the filling materials, while the dowels (14) are used for improving the rigidity of the insulating panel (see claim 4 of Prase: “reinforcing strips”).

However, Prase does not disclose or suggest a laminated element having two substrates which are joined together *by surface bonding* by a layer of adhesive. Prase also does not disclose a support element positioned in only one of the substrates to fasten the laminated element to an infrastructure.

As acknowledged on page 3 of the Office Action, Sufke does not disclose an active position fastening of the second substrate relative to the first substrate, which is active at least in the event of failure of the bonded joint:

- which is active independently of the support element only between the first and second substrates,
- which is placed a certain distance from the edge of said substrates,
- which comprises a fastening element passing through the layer of adhesive bonding and engaging in a recess in each of the first and second substrates.

An exemplary technical effect of the claimed position fastening is that the fastening of the second substrate relative to the infrastructure is secured even in the event of failure of the bonded joint between the two substrates (otherwise, without the position fastening, the second substrate would not be fastened to the infrastructure anymore since the support element catches on only the first substrate).

Prase does not disclose or suggest that a position fastening can be used in order to secure the bonding between two substrates that are joined together by surface bounding with a layer of adhesive. This is because the problem of securing the two panels (2, 15) to each other when only one of the panels (2, 15) is fastened to an infrastructure is not raised in Prase. Prase does not disclose that the insulating panel is intended to be fastened to an infrastructure and that there may be a relative movement between the lower and upper panels (2, 15).

Moreover, in *Prase*, the dowels (14), which are used as reinforcing elements (and **not** as position fastening elements), do **NOT** engage in a recess in each of a first and a second substrate and pass through a layer of adhesive bonding the two substrates. Indeed, as shown in Figure 3 of *Prase*, the dowels (14) engage in a recess in two strips (10, 11) which are not joined together by surface bounding by a layer of adhesive.

Thus, a person of ordinary skill in the art:

- would not use the teachings of *Prase*, since *Prase* does not discuss the problem of securing the bonding between two substrates that are joined together by surface bounding by a layer of adhesive, when only one of the substrates is fastened to an infrastructure;
- would not find the solution as claimed in claim 20 in *Prase*, because *Prase* does not disclose that the dowels (14) act as position fastening elements, and does not disclose that the substrates are joined together by surface bounding by a layer of adhesive and the dowels (14) engage in a recess in each of a first and a second substrate and pass through the layer of adhesive bonding the two substrates.

Accordingly, Applicant respectfully requests that the rejection of Claim 20, and all claims which depend thereon, be withdrawn.

Claim 39 depends from Claim 20, and thus is believed to be patentable for at least the reasons discussed above with respect to Claim 20. Further, it is respectfully submitted that *Florentin* does not cure the above-noted deficiencies of *Sufke* and *Prase*. Accordingly, it is respectfully submitted that Claim 39 be allowed.

New Claim 42 is added by the present amendment. Support for new Claim 42 can be found in the original specification, for example, in Fig. 1. Thus, it is respectfully submitted that no new matter is added. New Claim 42 depends from independent Claim 20 and thus is believed to be patentable for at least the reasons discussed with respect to Claim 20. Further,

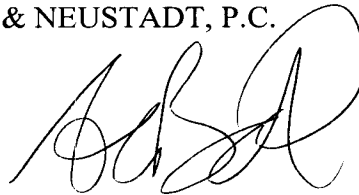
it is respectfully submitted that Sufke and Prase do not disclose that “at least one of the first and second substrates includes an outer surface of the laminated element being flush with a respective end of the fastening element,” as recited in new Claim 42. Specifically, as shown in Figs. 1 and 2 of Prase, the dowel 14 and key strip 21 (asserted in the Office Action as corresponding to the claimed active position fastening) are not flush with an outer surface of the press mould 1. Instead, panels 2 and 15 are disposed above the dowel and key strip 21. Accordingly, it is respectfully requested that new Claim 42 be allowed.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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